

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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JOHN P. POLCASTRO SR.

Full name and prison number of
plaintiff(s) PO BOX 175

GENEVA AL 34840

Sheriff GREG WARD

Head Jailer CARL ROW

Jailer DONALD WENTZ

Deputy RAY MOSCH

Name of person(s) who violated
your constitutional rights.

(List the names of all the persons))

DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

CIVIL ACTION NO. 1:05cv909-F
(To be supplied by the Clerk of the
U.S. District Court)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same or similar facts involved in this action? Yes () No (X)
- B. Have you begun other lawsuits in state or federal court relating to your imprisonment? Yes () No (X)
- C. If your answer to A or B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiff(s) _____

Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county)

3. Docket No. _____

4. Name of Judge to whom case was assigned _____

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) _____

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. PLACE OF PRESENT CONFINEMENT GENEVA COUNTY JAIL

PLACE OR INSTITUTION WHERE INCIDENT OCCURRED GENEVA COUNTY JAIL GENEVA AL. 36340

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

| | NAME | ADDRESS |
|----|----------------------|-------------------------------------|
| 1. | SHERIFF GREGWARD | GENEVA COUNTY JAIL GENEVA AL. 36340 |
| 2. | DEPUTY RAY MOCH | " " " " " |
| 3. | WARD JAILER DAEL ROW | " " " " " |
| 4. | JAILER DONALD WALKS | " " " " " |
| 5. | | |
| 6. | | |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED 7/31/05 8/1/05

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: REFUSED MEDICAL ASSESSMENT MONEY STEALING THREATS UNSAFE LIVING CONDITIONS

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place, manner, and person involved).

PLEASE SEE PAGE ONE

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PAGE - ONE

ON OR ABOUT 7/31/05 - 8/1/05 Deputy RAY MOCK ENTERED MY TRAILER WITH OTHER OFFICERS AND TOOK MY WALLET OFF MY HITCHED TABLE. WHEN Deputy MOCK TOOK ME TO THE COUNTY JAIL A LITTLE OVER THIRTYEEN HUNDRED DOLLARS WAS TAKEN OUT OF MY WALLET. AT THAT TIME I ASKED Deputy PEREZ AND MATTHEW M. DUPONT FOR A RECEIPT FOR MY MONEY. I WAS TOLD THERE WAS NO MONEY. ALSO AT THIS TIME I ASKED Deputy MOCK TO TAKE ME TO THE HOSPITAL BECAUSE THE BACK OF MY HEAD WAS BLEEDING, THE TOP OF MY LEFT EYE WAS SPILT OPEN. MY RIBS AND LEFT SHOULDER WAS IN EXTREME PAIN. THE RIGHT EYE TOOTH WAS KNOCKED OUT. MY PARTIAL DIAL WAS BROKE. HE STILL REFUSED ME MEDICAL ATTENTION.

ON 8/1/05. I WAS PUT IN A HOLDING CELL STILL IN EXTREME PAIN. I WAS GIVEN NOTHING FOR THE PAIN. I WAS PUT ON A WOODEN BENCH. DURING THE EARLY MORNING HOURS I FELL OFF THE BENCH. MY HEAD HIT THE FLOOR AND I STARTED TO BLEED AGAIN. JAILER DONALD WEEKS CAME INTO MY CELL WITH BREAKFAST AND I ASKED HIM. DID I EXPECT HIM TO TAKE

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CONT FROM PAGE ONE

me to the Hospital. He refused. I passed out and I slept on my breakfast tray. Jailer wrote come and told me to get up so I can be booked. I told him I could hardly walk. My glasses were broken. All he said was lets go. I was booked, then placed on the floor on the right side of the Jail.

Deputy RAY Bock is one of the police officers who beat me till I passed out. I was out cold when he took me to the Jail.

For 25 days I wrote Request after Request begging the Head Jailer to take me to a Hospital. Every time I asked him to take me to a Hospital. He refused. I was finally taken to a Doctor 25 days after the officers beat me. I explained to the Doctor that I was in a lot of pain. Nothing was done. I showed him where I needed Dental work. I also told him I couldn't see out of my left eye. He didn't do any thing to help. I still get bad head aches, I get dizzy. I can't chew hard food. My left eye always hurts. They refuse to give me any thing for the pain till this day. I'm still hearing

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COND FROM PAGE ONE
 WITH THE PRISON, THIS DAY HOSER
 JAILER CAR/ ROW HAS REFUSED ME
 MEDICAL ATTENTION.

THE JAILER AND HOSER
 JAILER CAR/ ROW HAVE ME LIVING IN
 UNSAFE LIVING CONDITIONS. THE JAIL IS
 OVER CROWDED, I'M IN AN AREA THAT IS
 SUPPOSE TO HOLD 12 MEN. WE ARE UP 24.
 MY SELF AND OTHERS ARE FORCED TO
 SLEEP ON THE FLOOR SOME LIKE MY SELF
 SLEEP NEAR OUR TOILET. THE FOOD IS
 TERRIBLE. WE HAVE NO COOK. NO DIETITIAN
 INMATES DO BOTH JOBS. WE NEVER GET AN
 HOUR OF FAIR SLEEP. I'M FORCED TO LIVE ON
 THE FLOOR WITH WALLS THAT ARE COVERED
 WITH RUST AND BLACK MOLD. I REQUESTED
 FROM THE PRISON AND THE JAILER TO
 ALLOW ME TO GO TO THE LAW LIBRARY SO
 I COULD WORK ON MY CASE. I WAS
 REFUSED. I ASKED FOR PAPER, PEN, STAMP
 AND ENVELOPES TO WRITE AND SEND OUT
 LEGAL WORK. I WAS REFUSED. AD DRAINING ME
 MY LEGAL RIGHT TO ACCESS TO THE COURTS.
 I WAS GIVING A RUBBER MAT TO SLEEP ON
 THEY ARE NEVER CLEANED. THEY REFUSE TO
 GIVE OUT RUGS TO COVER THE DIRTY MATS

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CONT FROM PAGE ONE.

ON 8/31/05 Sheriff Ward took me to
 CARL ROWS OFFICE AND TOLD ME IF I
 DIDNT SHUT UP AND MIND MY BUSINESS HE
 WOULD HAVE THE INMATES BEAT ME. HE STATED
 A LOT OF INMATES OWE HIM FAVORS. HE ALSO
 CAME INTO THE EAT BLOCK AND MADE THREATS
 TO ME IN FRONT OF OTHER INMATES. SEE STATE-
 MENTS. FROM 8/31/05 TILL THIS DATE I HAVE
 WRITTEN 2 SHERIFF WARD AND HAD JAIL
 CARL ROWS. REQUESTING ALL THE ABOVE.
 IM STILL BEING REFUSED. I LIVE IN THIS
 JAIL IN CONSTANT PAIN. AND IN CONSTANT
 FEAR FOR MY LIFE AND HEALTH

Jose Polanco
 9/10/05

GROUND TWO: JAIL CONDITIONS

SUPPORTING FACTS: SEE PAGE ONE

GROUND THREE: SEE GROUND ONE

SUPPORTING FACTS: SEE PAGE ONE

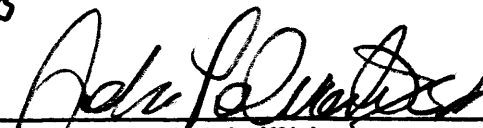
VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

I REQUEST THE COURT TO SET UP A DATE
FOR 1702. REQUEST THE COURT SEND SOME ONE
TO SPEAK TO ME


Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on September 17th 2005
(date)


Signature of plaintiff(s)